

WEST TISBURY CONSERVATION COMMISSION
MINUTES OF MEETING

May 8, 2007

Present: Prudy Burt Chair, Judy Crawford, Tara Whiting, Pat Durfee, Debra Swanson, and Maria McFarland

Absent: Peter Rodegast

Also present for all or part of the meeting: Doug Cooper, Michael Turnell and Glenn Provost

Prudy Burt called the meeting to order at 5:10 P.M.

The minutes of the April 24, 2007 meeting were approved. Judy and Tara abstained.

Map 8 Lot 39 – Continuation of a public hearing under the requirements of G.L. Ch.131 § 40, as amended and the West Tisbury Wetlands Protection Bylaw and regulations to consider a **Notice of Intent** filed by Douglas Cooper on behalf of Alison Van Dyk for property owned by Ms. Van Dyk at 75 Ben Chase Road to create two view channels, walking paths through the Buffer Zone, a raised boardwalk through a bordering Vegetated Wetland and a deck at the edge of a pond. Site Visit was held on March 20th.

Doug and Michael were back to discuss the revised plan required by DEP to address the amount of proposed alteration of the BVW. As shown on the revised plan, the view channels are better defined, the willow tree will remain but will be thinned, and the existing path will be abandoned and allowed to revegetate. The boardwalk and deck will be constructed of salvaged river cypress. No pressure treated wood is to be used. The deck will be laid on sleepers and the pin system will be used to anchor the boardwalk.

The hearing was closed. A motion was made and seconded to approve the project as amended. All in favor. The members then reviewed and approved the special conditions.

Map 36 Lot 28 and Map 42 Lot 1 – Continuation of a public hearing under the requirements of G.L. Ch.131 § 40, as amended and the West Tisbury Wetlands Protection Bylaw and regulations to consider a **Notice of Intent** filed by the Trustees of Reservations for property located at 1 Long Point Road. The purpose of the project is to remove invasive Phragmites along the edge of two fresh water ponds at the Long Point Wildlife Refuge. The removal will be done by cutting the stems and laying a tarp over the treatment area for one week. The DEP file number letter has been received but the NHESP comment letter is still outstanding. The hearing was continued due to a lack of a quorum.

Old Business

Map 6 Lots 2 and 2.1. Glenn was present on behalf of the Rattners. He explained that after the October 2006 letter was received Steve Rattner asked him to reflag the BVW but Glenn didn't get it done before the landscapers brush cut the whole area again.

Maria reported that she had spoken to Margo Clerkin Circuit Rider for DEP about this matter. She suggested that the property owners apply to DEP for Certificates of Compliance on the two Superceding Orders. That would trigger a DEP site visit. Margo said she would talk with Liz

Kouloheras about having DEP send the Rattners a letter but she cautioned that a letter would not be issued promptly.

Judy said that this landscaper has a history of wetland violations around the island. She suggested that the relevant sections of the wetlands protection regulations be attached to the next letter.

The members discussed whether or not they should vote to issue an enforcement order tonight or to give the Rattners one more opportunity to rectify the situation.

Debra said she was skeptical that the landscaper will change his behavior unless he is fined. Glenn said Steve feels he has an ongoing right to do this clearing. Prudy responded that it is unclear from the orders what the ongoing maintenance provisions are so it is important to get DEP down here for a site visit so that this can be clarified.

It was decided that the board would send one more letter to the Rattners to summarize this discussion. The letter will remind him that he and his landscaper are liable

There being no further business on the agenda, the meeting adjourned at 6:15 P.M.

Respectfully submitted,

Maria McFarland
Board Administrator
APPROVED